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May 24, 2024

Via ECF

The Honorable Jessica G. L. Clarke
United States District Court
500 Pearl Street, Room 1040
New York, NY 10007

MEMO ENDORSED

Re: United States v. Joesph Malvasio and Gregg Marcus
23-CR-396 (JGLC)

Dear Judge Clarke:

A conference in the above-referenced case is currently scheduled for May 29, 2024, at 10:00 a.m. Defendants Joseph Malvasio and Gregg Marcus have been reviewing voluminous discovery, including new discovery which counsel for Mr. Marcus received on or about April 30, 2024. Mr. Marcus has retained additional eDiscovery counsel to facilitate the review. We expect that we will provide the Court with an update on our progress in our review processes and request additional time to review the discovery that has been, and continues to be, provided. As such, we anticipate this will likely be a brief and procedural conference.

As such, Defendant Marcus respectfully requests that the Court waive his in-person appearance and permit him to attend remotely. Mr. Marcus lives and works in Florida. Assistant United State Attorney Jaclyn Delligatti has advised us that the Government consents to this request.

Thank you for Your Honor's consideration.

Application GRANTED. Mr. Malvasio is permitted to remotely attend the status conference set for May 29, 2024, at 10:00 a.m. The Clerk of Court is respectfully directed to terminate the letter motion at ECF No. 45.

SO ORDERED.

JESSICA G. L. CLARKE
United States District Judge

Dated: May 24, 2024

New York, New York

cc: All counsel
Via ECF

Respectfully Submitted,

s/ Sara M. Probber
Sara Michelle Probber

**Elliott Kwok Levine Jaroslaw
Neils LLP**
*Counsel for Defendant Gregg
Marcus*